

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN JAMES WALSH,

Defendant.

CR 17-23-BU-DLC

ORDER

On February 20, 2018, Defendant Martin Walsh appeared before the Court on a motion and Amended Affidavit alleging he violated a condition of his pretrial release. The petition alleges Defendant submitted to a urine test which tested positive for methamphetamine.

The Court advised Defendant of his rights relative to the petition. Defendant waived his right to a hearing on the allegations in the affidavit, and he admitted to the allegations.

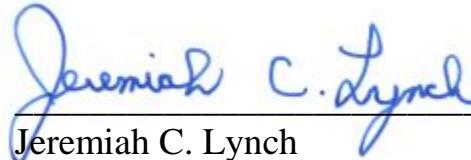
At Defendant's request, the Court proceeded to a hearing on the issue of whether Defendant's release should be revoked. Pursuant to 18 U.S.C. § 3148(b)(1), and based on the record in this case, the Court finds there is clear and convincing evidence that Defendant violated a condition of his release as alleged in the petition. Further, pursuant to § 3148(b)(2), and based on Defendant's conduct

while on pretrial release, the Court finds he is unlikely to abide by any condition or combination of conditions if the Court were to continue him on pretrial release.

Therefore, pursuant to 18 U.S.C. § 3148(b), **IT IS HEREBY ORDERED** that Defendant's pretrial release is **REVOKED**.

IT IS FURTHER ORDERED the Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 20th day of February, 2018.



Jeremiah C. Lynch
United States Magistrate Judge